



**Rialtas na hÉireann**  
Government of Ireland

# **National Air Pollution Control Programme (2021)**

Strategic Environmental Assessment Screening Report  
Determination of the need for a Strategic Environmental Assessment for  
the update to the National Air Pollution Control Programme

**February 2021**

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# 1. The purpose of this document

The purpose of this document is to determine the need for a Strategic Environmental Assessment (SEA) of a Programme developed by the Department of the Environment, Climate and Communications DECC namely the [National Air Pollution Control Programme](#).

The preparation of the National Air Pollution Control Programme document was led by the DECC and involved close liaison with other key government departments and stakeholders in particular the Environmental Protection Agency, the Department of Agriculture, Forestry and Marine (DAFM), the Department of Transport (DoT). EnvEcon and Dr Andrew Kelly provided invaluable assistance.

This SEA screening document for the National Air Pollution Control Programme has taken into account the SEA processes that have been undertaken for a range of national plans and programmes by DECC as well as other government departments. Examples of relevant national plans and programmes where a full SEA been undertaken include;

- The National Mitigation Plan – DECC
- Agri-Food Strategy to 2030 – DAFM
- National Policy Framework on Alternative Fuels Infrastructure for Transport in Ireland – DoT
- The National Planning Framework - DHPLG
- The Nitrates Action Programme – DAFM
- Greater Dublin Area Transport Strategy 2016-2035 – DoT

## 2. Background to the update to the National Air Pollution Control Programme

The National Emissions Ceilings Directive (NEC Directive) establishes emission ceilings for 2020 and 2030 for five specified pollutants: NO<sub>x</sub>, VOCs, SO<sub>x</sub>, PM<sub>2.5</sub> and NH<sub>3</sub>. It also mandates the development of a National Air Pollution Control Programme (NAPCP) for each Member State. The NAPCP is intended to show the pathway Ireland will follow to achieve compliance with the NEC 2020 and 2030 targets. The format of the NAPCP is set down by the European Commission in implementing decision (EU) 2018/1522, which was adopted on 11 October 2018.

The Department of the Environment, Climate and Communications has primary responsibility for the delivery of the NAPCP. Ireland submitted its first NAPCP to the European Commissions in 2019; however the programme was unable to set out a clear pathway to compliance for all five of the key pollutants as required.

As a result the Department has engaged with key stakeholders ensure a strengthening of policy responses to address air pollutant emissions levels and deliver improvements in air quality.

In line with the original National Air Pollution Control Programme, the update also includes:

- An overview of sectors and national policy frameworks in Ireland that impact on emissions of the 5 main NEC pollutants
- An overview of the current outlook for compliance with NEC targets for each pollutant
- Projections of relevant pollutant emissions to 2030
- Policy options, measures and actions across sectors but in particular in the residential, transport agricultural and energy sectors aimed at reducing emissions of the five specified air pollutants

### **3. Objective of Strategic Environmental Assessment (SEA)**

The objective of EU Directive (2001/42/EC) on the assessment of the Effects of Certain Plans and programmes on the Environment, commonly known as the SEA Directive, is

**‘to provide for a high level of protection of the environment and to contribute to the integration of environmental considerations into the preparation and adoption of plans and programmes with a view to promoting sustainable development, by ensuring that, in accordance with this Directive, an environmental assessment is carried out of certain plans and programmes which are likely to have significant effects on the environment’.**

During the SEA process, the environmental consequences of certain plans and programmes are identified, assessed and mitigated during the preparation and before the adoption of the plans and projects. It is a critical mechanism in ensuring the promotion of sustainable development within areas and in heightening awareness of issues of paramount importance to the environment within planning frameworks.

The EU Directive has been transposed into Irish law through the following Regulations:

- European Communities (Environmental Assessment of Certain Plans and Programmes) Regulations 2004 (S.I. 435 of 2004);
- European Communities (Environmental Assessment of Certain Plans and Programmes) (Amendment) Regulations 2011 (S.I. 200 of 2011); and
- Planning and Development Strategic Environmental Assessment (SEA) Regulations 2004 (S.I. 436 of 2004)
- Planning and Development (Strategic Environmental Assessment) (Amendment) Regulations 2011 (S.I. 201 of 2011)

The SEA screening process undertaken by the DECC is consistent with the process as recommended by the Environmental Protection Agency (EPA) publication entitled [Development of Strategic Environmental Assessment \(SEA\) Methodologies for Plans and Programmes in Ireland – Synthesis Report](#), specifically Stage 1 (Screening of Plans and Programmes).

## 4. Requirement to carry out an SEA

Pre-Screening check using decision-tree (See Appendix 1)

A pre-screening check is necessary to determine if the Programme is considered to be a plan/programme under the administrative provisions criteria stipulated in Article 9(1) of S.I. 435 of 2004, European Communities (Environmental Assessment of Certain Plans and Programmes) Regulations.

A pre-screening check, using the decision tree, as set out in the EPA report [Development of SEA methodologies for plans and programmes in Ireland](#), has been applied to the update of the National Air Pollution Control Programme.

The decision tree is based on a series of administrative questions that allows rapid screening-out of plans and programmes that are clearly not going to have an environmental impact, and screening-in of those that definitely do require an SEA. A decision tree diagram and responses to the administrative questions as they apply to the Air Pollution Control Programme are presented in Appendix 1.

The result of the pre-screening process indicates that SEA is not required for the Programme as:

1. is not providing a framework for development consent for projects;
2. Is not likely to have a significant effect on a Natura 2000 site.

Environmental Significant Screening (See Appendix 2)

While the pre-screening process indicated that an SEA is not required, further assessment was carried out using the environmental criteria contained in Schedule 1 of the SEA regulations. A table detailing the environmental significance screening is presented in Appendix 2.

## 5. Conclusion

The first National Air Pollution Control Programme underwent a SEA screening process and an SEA was screened out.

This update to the programme has also undergone the screening process as detailed in Appendix 1 and 2, where the context of the Air Pollution Control Programme has been assessed against the pre-screening check and the environmental significance criteria as set out in Schedule 1 of the SEA Regulations.

It is concluded that a full Strategic Environmental Assessment is not required for the following reasons:

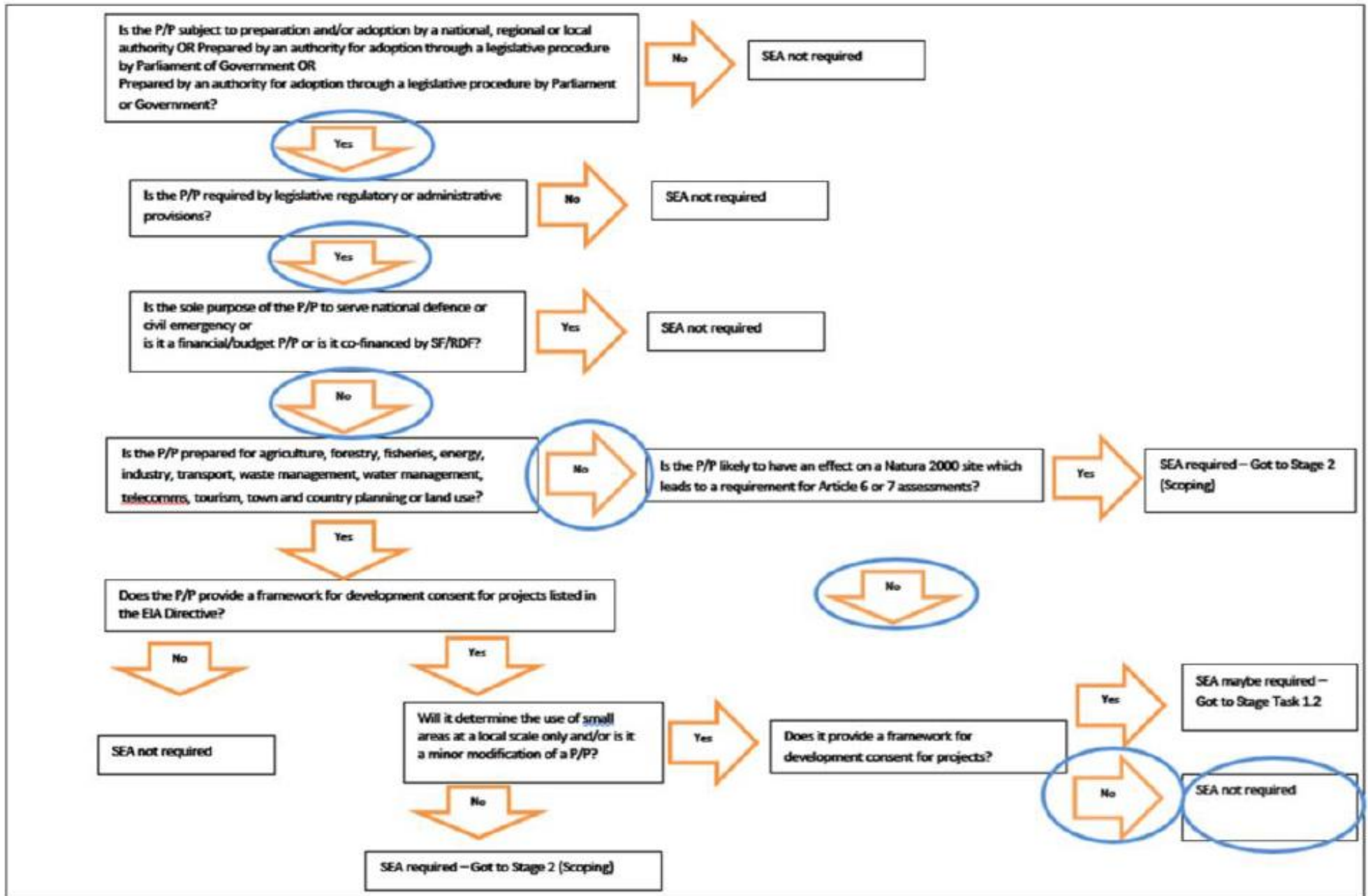
- The purpose of the Programme is to demonstrate how existing and additional measures will lead to compliance with the NEC Directive 2020 and 2030 targets. The Programme will not set a framework for future development consent of projects listed in Annexes I and II of the EIA Directive or likely to have significant environmental effects in its own right.
- The measures and actions within the Programme aim to have an overall positive effect on air quality and consequently human health and the environment. The Programme is not considered likely to have quantifiable effects on the environment in its own right; rather, its effects will be mediated through other plans and programmes which may be the subject of SEA and/or AA.
- Further SEA or AA screening of some individual actions and measures included in the National Air Pollution Control Programme may need to be considered based on their timescale for implementation.

## Appendix 1 SEA Pre-screening Decision Tree

Pre-screening check, using the decision tree, as set out in the EPA report *Development of SEA methodologies for plans and programmes in Ireland*, has been applied to the Draft National Air Pollution Control Programme. The responses to the pre-screening are detailed below.

Criteria	Response
<p><b>1. Is the Plan subject to preparation and/or adoption by a national, regional or local authority OR prepared by an authority for adoption through legislative procedure by Parliament of Government OR Prepared by an authority for adoption through a legislative procedure by Parliament or Government?</b></p>	<p>Yes</p> <p>The National Air Pollution Control Programme is subject to preparation by national authority, and Programme was developed by DECC</p> <p>It is not prepared for adoption through any legislative procedure.</p>
<p><b>2. Is the Plan required by legislative, regulatory or administrative provisions?</b></p>	<p>Yes</p> <p>The Programme is required under the NEC Directive (EU 2016/2284) as transposed into Irish air quality legislation (SI 232 of 2018)</p>
<p><b>3. Is the sole purpose of the Plan to serve national defence or civil emergency or is it a financial/budget Plan or is it co-financed by SF/RDF?</b></p>	<p>No.</p> <p>The Air Pollution Control Programme has not been drafted for these purposes.</p>
<p><b>4. Is the Plan prepared for agriculture, forestry, fisheries, energy, transport, waste management, water management, telecoms, tourism, town and country planning or land use?</b></p> <p><b>If no, consider if the Plan is likely to have an effect on Natura 2000 sites</b></p>	<p>No.</p> <p>However, the National Air Pollution Control Programme includes measures set out in policies and strategies from a range of sectors including agriculture, energy, transport and planning.</p> <p>The actions and measures gathered from other plans and strategies which may have an effect on Natura 2000 sites but these impacts should be determined under the original plans.</p>
<p><b>5. Does the Plan provide a framework for development consent for projects listed in the EIA Directive or likely to have significant environmental effects?</b></p>	<p>No.</p> <p>The National Air Pollution Control Programme will not provide a framework for development consent for projects listed in the EIA Directive or likely to have significant environmental effects.</p>





## Appendix 2 Schedule 1 Article 9 of the SEA Directive

Criteria for determining whether a Plan or Programme (or Modification thereto) is likely to have significant effects on the Environment

### The characteristics of the plan or programme, or modification to a plan or programme, having regard in particular, to;

Criteria	DECC response
- the degree to which the plan or programme, or modification to a plan or programme, sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources	The purpose of the update to the National Air Pollution Control Programme is to demonstrate how existing and additional measures will enable Ireland to meet NEC Directive emission targets. The Programme will <u>not</u> set a framework for future development consent of projects listed in Annexes I and II of the Environmental Impact Assessment Directive (85/337/EC) as amended, or likely to have significant environmental effects.
- the degree to which the plan or programme, or modification to a plan or programme, influences other plans including those in a hierarchy,	<p>The update to the National Air Pollution Control Programme is being formulated to demonstrate how existing and additional measures will enable Ireland to meet NEC Directive targets. Existing measures are drawn from plans and programmes, which are subject to SEA/ SEA screening in their own right; the environmental impacts of any additional measures will be evaluated in other sectoral plans, which may be subject to SEA and/or AA as appropriate. In some cases, the incorporation of clean air issues has been implicitly part of the SEA of pre-existing plans and programmes. Specific examples of national plans and programmes referred to in Air Pollution Control Programme which have had full SEA/AA undertaken include;</p> <ul style="list-style-type: none"> <li>• The National Mitigation Plan – DECC</li> <li>• The National Adaptation Framework - DECC</li> <li>• Agri-Food Strategy to 2030 – DAFM</li> <li>• National Policy Framework on Alternative Fuels Infrastructure for Transport in Ireland – DoT</li> <li>• The National Planning Framework, 2040 - DHPLG</li> </ul> <p>Further SEA or AA screening of some individual actions and measures included in the National Air Pollution Control Programme may need to be considered based on their timescale for implementation.</p>
- the relevance of the plan or programme, or modification to a plan or programme, for the integration of environmental considerations in particular with a view to promoting sustainable development,	The Programme reflects actions and measures already committed to, or which may be committed to, across a range of sectoral plans and programmes. The assessment of environmental impacts including on promotion of sustainable development falls to be evaluated in those other

	plans.
- environmental problems relevant to the plan or programme, or modification to a plan or programme,	While the cumulative effect of air pollution emissions can manifest locally as problems with ambient air quality or impacted ecosystems, the focus of the Programme is not to manage these local environmental problems directly. Rather, the Programme supports the NEC Directive in seeking to reduce air pollution emissions in general from various sectors.
- the relevance of the plan or programme, or modification to a plan or programme, for the implementation of European Union legislation on the environment (e.g. plans and programmes linked to waste management or water protection).	The NAPCP arises directly from EU air quality legislation, namely the NEC Directive. It is consistent with the implementation of European Union legislation on the environment.

## 2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to:

Criteria	DECC Response
- the probability, duration, frequency and reversibility of the effects,	The measures and actions within the Programme aim to have an overall positive effect on air quality and consequently human health and the environment.
- the cumulative nature of the effects	The Programme draws on other national plans and programmes. The environmental impacts of any additional measures incorporated into that consideration will be evaluated in those other plans, which may be subject to SEA and/or AA as appropriate, and should be positive.
- the transboundary nature of the effects,	The Programme will have no direct trans-boundary effects of its own account.
- the risks to human health or the environment (e.g. due to accidents),	There are no foreseeable risks to human health or the environment arising from the Programme.
- the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected),	Effects may flow from measures identified in the Programme, which are drawn from other plans and programmes. The responsibility for assessing the magnitude and spatial effects of these other programmes.
- the value and vulnerability of the area likely to be affected due to: a) special natural characteristics or cultural heritage, b) exceeded environmental quality standards or limit values, c) intensive land-use,	The Programme identifies measures from other sectoral plans and programmes which will reduce air pollution emissions in Ireland. The effect of these measures should be beneficial on the environment nationally, but specific geographical areas are not identified.
- the effects on areas or landscapes which have a recognised national, European Union or international protection status.	The Programme aims to identify measures which will reduce air pollution emission levels across sectors. The nett effect of these measures, which are subject to environmental assessment in their own right, should be positive on areas or landscapes which have a recognised national, European Union or international protection status.